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# National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

## Germany

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# I. Process for the preparation of the report

1. The preparation of this report was coordinated by the Federal Foreign Office, with contributions made by the Federal Ministry of Labour and Social Affairs, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, the Federal Ministry of the Interior, the Federal Ministry of Justice and Consumer Protection, the Federal Ministry of Health and the Federal Ministry for Economic Cooperation and Development as well as the Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* in the Federal Republic of Germany and the Federal Government Commissioner for Migration, Refugees and Integration.

2. A public debate on the planned UPR report took place at the Federal Foreign Office on 22 June 2017 prior to the compilation of the report. In addition to the above-mentioned organisations, the Forum Menschenrechte (Human Rights Forum), as an alliance of German human rights NGOs, and the German Institute for Human Rights were invited to this gathering. Bärbel Kofler, Federal Government Commissioner for Human Rights Policy and Humanitarian Aid at the Federal Foreign Office, chaired the event.

# II. Implementation of recommendations from the previous cycle

3. With regard to the recommendations from the second UPR cycle[1] (2013), Germany would like to present the following observations:

## A. International instruments

### 1. Acceptance of international norms

4. As a member of the international community, Germany strives to promote the acceptance of international agreements. The most recent to be ratified were the **United Nations Convention against Corruption**[2] on 12 November 2014, the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (**Lanzarote Convention**[3]) on 18 November 2015 and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (**Istanbul Convention**[4]) on 12 October 2017.

5. Germany signed **Protocol No 12** to the Convention for the Protection of Human Rights and Fundamental Freedoms on 4 November 2000, but has not ratified it.[5] Ratification of the Protocol was put on ice for the time being to allow observation of the progress made by other states towards ratification and the development of the case-law of the European Court of Human Rights following entry into force of the Protocol. This should make it possible to gain a clearer idea of what effect ratification of the Protocol would have on the German legal order. No assessment can yet be made based on the ECHR's rulings to date.

### 2. Withdrawing reservations

6. The Federal Government closely examines whether to express reservations to international human rights treaties. As for the reservations made to date, the Federal Government still considers these to be necessary.[6]

### 3. Cooperation with international mechanisms and institutions

7. Germany has continued its close work with international human rights mechanisms and institutions. Germany has issued a standing invitation to the **mandate holders for the Human Rights Council's Special Procedures**.

8. From 12 to 14 November 2014, the **United Nations Human Rights Council Working Group on Arbitrary Detention** conducted a follow-up visit to Germany.[7]

9. **The Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes**, Baskut Tuncak, visited Germany from 30 November to 7 December 2015. He met with various Government representatives, a member of the German Bundestag, representatives of civil society, labour unions and business enterprises.[8]

10. From 20 to 27 February 2017, the **Human Rights Council's Working Group of Experts on People of African Descent** undertook a visit to Germany, met representatives of the Federal Government and non-governmental organisations and also spoke to a member of the German Bundestag.[9]

11. The Working Groups and the Special Rapporteur enjoyed the full cooperation of the Government.

12. As an elected member for the two three-year terms 2013 to 2015 and 2016 to 2018, Germany has actively supported the work of the Human Rights Council, not least by presenting draft resolutions on the rights to safe drinking water and sanitation[10], the right to adequate housing[11], human trafficking[12] and the right to privacy in the digital age[13]. In 2015, Germany held the presidency of the Human Rights Council and actively worked to enhance the efficiency and effectiveness of the Council and to secure the participation of civil society organisations in its work.

13. Germany also participated in the work of the General Assembly's **Third Committee**, i.a. by presenting draft resolutions on the rights to safe drinking water and sanitation[14], the right to privacy in the digital age[15] and on national human rights institutions[16].

14. Germany held the vice-chairmanship of the **Commission on the Status of Women** during its 60th and 61st sessions. In this capacity, Germany called for an increase in the number of interactive dialogues, an important format for including speakers from civil society. Germany currently represents the Group of Western European and other States (WEOG) in the bureau of the **Conference of the States Parties to the Convention on the Rights of Persons with Disabilities**.

15. Throughout, it has been a principal objective for Germany to enhance the inclusiveness and transparency of the UN human rights forums.

16. Germany supports the work of the **Office of the High Commissioner for Human Rights** not least with a substantial annual voluntary contribution.

17. Germany also works to promote human rights within the context of the **Council of Europe**, the **Organization for Security and Co-operation in Europe** and the **European Union**.

### 4. Inter-state cooperation and development assistance

18. Human rights are a central focus of German foreign policy. In addition to its work in multilateral forums, the protection and promotion of human rights in bilateral relations is a key concern for Germany. As well as direct talks with states, its activities include human rights dialogues in various forms and formats and support for projects run predominantly by civil-society organisations throughout the world. Strengthening human rights institutions, developing the rule of law, building democracy, monitoring elections, establishing administrative and police structures, training of armed forces and other security forces and other crisis prevention and development cooperation measures all come together to form a cooperative bilateral human rights policy instrument providing practical support in promoting human rights. German **humanitarian assistance** plays a role in realising human rights through its specific aid measures geared to the requirements of people in need. Assistance in the spheres of housing, education, health, water supply and human protection helps realise individual rights in these areas.

19. Germany has intensified its **development cooperation** in recent years.[17] Safeguarding and protecting human rights are guiding principles of German development policy. This is reflected in numerous instruments and measures.

- Since 2011, the Strategy Paper "Human Rights in German Development Policy" has been the binding basis for ensuring that governmental development cooperation projects comply with human rights standards and principles.
- Since 2013, a set of guidelines on respecting human rights standards and principles, including gender-related aspects, when drafting programme proposals for German technical and financial governmental cooperation has included the obligation to assess the impact on and risks for human rights in planning all bilateral development policy projects.
- Since 2013, the Action Plan for the Inclusion of Persons with Disabilities has envisaged the systematic and cross-cutting anchoring of disabled persons' rights in German development cooperation projects. Based on the recommendations of the German Institute for Development Evaluation, a new strategy for the inclusion of disabled persons in German development cooperation is planned for 2018.
- In 2014 the binding Strategy Paper "Gender Equality in German Development Policy", which is being implemented through the "Development Policy Action Plan on Gender Equality 2016-2020 (GAP II)" together with the accompanying annual road maps, was adopted.
- In 2017, an action plan to strengthen the rights of children and young people in German governmental development cooperation was adopted.
- Germany is striving for full integration of the rights-based approach into all EU development instruments and measures. This includes, for example, the EU Action Plan on Human Rights and Democracy (2015–2019), the European Consensus on Development (2017), the European Instrument for Democracy and Human Rights (EIDHR) and the EU Gender Action Plan 2016-2020.
- At UN level, Germany has persistently called for the anchoring of human rights and gender equality in the 2030 Agenda within the context of the Open Working Group on Sustainable Development Goals.[18]
- Implementation of the rights to safe drinking water and sanitation in partner countries has been an important focus in recent years. Germany also continues to support the mandate of the UN Special Rapporteur on the human rights to safe drinking water and sanitation created in 2008. Access to water is also a central component of Germany's sustainability strategy, in which the Federal Government has set itself the goal of creating access to safe drinking water and sanitation for ten million people each year up to 2030, with German support.[19]

20. In 2016, Germany earmarked a total of around 22 billion euros for governmental development cooperation (provisional OECD figures from April 2017). ODA ratio for 2016, including a proportion of the costs for refugees, is therefore likely to be 0.7 per cent.[20]

## B. National instruments

### 1. Institutions

21. The **Federal Anti-Discrimination Agency**, the **National Agency for the Prevention of Torture** and the **German Institute for Human Rights** (DIMR) are three key institutions responsible for promoting and monitoring human rights in Germany. In this context, special reference must be made to the following developments:

- Since 2011, the Federal Government has repeatedly increased the budget and the staffing levels of the Federal Anti-Discrimination Agency.[21] Likewise, the financial resources for the National Agency for the Prevention of Torture were increased considerably in 2014 and the number of voluntary members doubled.[22]
- With the adoption of the DIMR Act, the legal status and mandate of the German Institute for Human Rights was anchored in law in 2015. The Institute's A status in accordance with the criteria of the Paris Principles was confirmed in March 2016.

The DIMR can submit opinions on human rights issues in selected proceedings before national courts and international decision-making bodies if a court case raises a question with fundamental relevance to compliance with or implementation of human rights, and the Institute works on the issue concerned. The Federal Government does not therefore consider it necessary to broaden the DIMR's mandate.[23]

- The DIMR has assumed the role of monitoring agency for the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Rights of the Child.

## 2. Human rights education and training

22. Human rights education and efforts to promote tolerance and democratic citizenship are anchored in the school legislation of the individual *Länder*. All *Länder* regard respect for human dignity and the values set down in the Basic Law as a substantial part of **school education**. Particular importance is attached to subjects such as religious studies, ethics, philosophy, history, civics and social studies. Handouts and various publications are available to help schools carry out human rights education. This subject also receives special attention in initial **teacher training**; other measures for teachers include vocational further training, symposia and teaching conferences on specific topics. Schools, in turn, may carry out projects, organise project days or weeks and develop school partnerships.

23. The Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* in the Federal Republic of Germany has frequently addressed this issue, not least in the form of agreements and declarations.

- In 2013 the Standing Conference revised its Recommendation on Cross-Cultural Education in Schools, which highlights the potential of diversity and serves as a guideline for schools, educational administrations and cooperation with non-school partners. A report on the implementation of the recommendation by the *Länder* was adopted by the Standing Conference in 2017.
- In 2015, the Standing Conference, the migrant organisations and the publishers of educational media signed a joint declaration on the presentation of cultural diversity, integration and migration in textbooks and other media. They agreed to portray the complex diversity in German schools in a balanced and non-discriminatory manner.
- In 2017/18, the Standing Conference will revise its Recommendation on the Promotion of Human Rights in Schools (2000) and its Decision on Strengthening Education for Democratic Citizenship (2009) with the participation of relevant stakeholders.[24]

24. The *Länder* are working to establish complaint and prevention mechanisms in the mission statements of the **universities**, where not already in place. All universities express their commitment to universal human rights in their mission statements. All higher education institutions have concepts regarding their approach to diversity. Human rights education is an important research topic at universities, particularly in the fields of social sciences, humanities and law. Some universities have established chairs or research focuses in the area of human rights.

## 3. State abuse and law enforcement

25. With respect to the police, the following measures were among those implemented or intensified to ensure that police powers are exercised in compliance with human rights.

- Particular attention was given to the issues of racism and discrimination in the new **initial and further training** concept for the federal and *Länder* police forces. At the Federal Criminal Police Office, this includes more in-depth exploration of the issue of hate and bias crime and politically motivated crime. In addition, training on intercultural competence has been intensified. The topic of racial profiling has been treated directly or indirectly at all relevant stages of study since 2014.[25] Existing approaches such as the internal events organised by the Federal Ministry of the Interior and the Federal Police, for example, on the definition of racism according to

the ICERD and the topic of racial profiling are to be continued and developed further. In Germany, racial profiling is not used in police work. Police measures based solely or predominantly on a person's outward appearance or their ethnic background without other specific findings or suspicions violate German law, specifically Article 3 of the Basic Law, and are therefore illegal. An Act of Parliament has made the prohibition and the definition of racial discrimination pursuant to Article 1 of the ICERD an integral part of the German legal order.

- The topics of human rights, basic rights, the prohibition of discrimination, the prohibition of abuse and torture, the UN Charter, the European Convention on Human Rights and intercultural competence are addressed in detail right at the start of career training with the Federal Police.[26] Since 2016, an ongoing process has been under way to update and improve initial and further training, relevant material and pertinent instructions and regulations on the issues of discrimination, racism and racial profiling. A study on behaviour-based surveillance is currently being implemented. The Federal Government currently sees no need to alter legislation.

- The Federal Criminal Police Office and the Federal Police are currently aiming to increase their proportion of employees with an immigrant background, for example by publishing job advertisements in foreign language print media and conducting specific advertising campaigns featuring workers with an immigrant background.[27]

26. Within the context of the National Action Plan Against Racism (Cabinet decision of June 2017), the Federal Government has also been addressing the problem of racism in institutions. Wherever there are indications that institutional procedures (working methods, rules of procedure, routines and processes) are or appear discriminatory, the Federal Government will follow them up and eliminate them within its field of responsibility.

27. The Federal Government currently sees no need for action with regard to calls for the establishment of government complaints offices and the introduction of an individual identification requirement for police officers.

- If complaints are made concerning discriminatory or other illegal conduct by individual police officers, the German legal system has at its disposal independent and effective procedures to investigate the case concerned.[28] Any criminal investigation into a suspected offence falls within the remit of the public prosecution office to direct the investigation.

- Some *Länder* have appointed or are planning to appoint ombudspersons who act independently and are not bound by instructions. Their models and goals differ: some focus on promoting transparency and building confidence between the police and the general public as well as dealing with structural problems, others on creating additional options for lodging complaints in individual cases. Seven *Länder* have special investigation offices affiliated to the relevant interior ministry or the *Land* Criminal Police Office.

- In 2016, the Federal Police introduced an independent internal complaint mechanism. Investigations directed against federal police officers are handled by the police and the public prosecution office in the *Land* in which the complaint was lodged to ensure complete neutrality.[29]

- The Federal Government is not aware of any case in which a federal police officer accused of misconduct could not be identified via the conventional channels. The *Länder* may decide for themselves whether their police officers should be required to wear personal identification (with exceptions in special cases, e.g. on security grounds) and whether this should take the form of their name or a number, depending on the desired purpose. They have developed various models for this purpose.[30]

28. In the legal system, **preventive detention** is regarded as a last resort. For this reason, each individual case needs to be examined to ensure that the applicable strict standards are met.[31]

### 4. Human rights and counter-terrorism

29. Respect for and preservation of human rights are also fundamental principles in combating terrorism. Measures that encroach on basic and human rights are admissible only if they have a legal basis and comply with international law. For legislative processes in this area in particular, governmental and parliamentary discussion on proportionality and the protection of human rights plays an important role. In court proceedings, the legality of laws or individual measures is examined with regard to their compliance with national law and also especially with the European Convention on Human Rights. Intensive dialogue also takes place within civil society.[32]

30. Germany is engaged internationally on several levels in the joint fight to combat international terrorism, for example, as part of the Global Counterterrorism Forum (GCTF) and the Global Coalition to Counter ISIS, and always observes international agreements such as UN resolutions and the standards set by the Financial Action Task Force (FATF) to prevent terrorism financing. The protection of human and fundamental rights is the guiding principle for all forms of international cooperation.

31. As well as restrictive measures for the purposes of law enforcement or to avert concrete threats, particular importance is given to preventing the causes of terrorism. **Prevention of extremism** takes place in Germany at all levels as part of a wider approach encompassing the whole of society. Measures range from (political) education, through youth and social work, right up to deradicalisation programmes. At federal level this takes place particularly within the context of the federal "Live Democracy!" and "Cohesion through Participation" programmes and the work of the Federal Agency for Civic Education.

### 5. Corruption

32. Germany ratified the **United Nations Convention against Corruption** on 12 November 2014. Before this, the amendments to the German Criminal Code required to incorporate punishable corruptive conduct were undertaken and the scope of the offence of bribery of deputies broadened.[33] In the area of corruption prevention, measures are continually being developed and the Bundestag informed on the status of implementation of corruption prevention provisions within the federal administration.[34]

## C. Non-discrimination and human rights protection

### 1. General information

33. The protection of and respect for human rights is a fundamental obligation of the German State (Art. 1 (1) of the Basic Law). The indivisibility, universality and close interdependence of all human rights, as well as the equal status of social, economic and cultural rights on the one hand and civil and political rights on the other are guaranteed in legislation, executive power and judicial practice.[35] Human rights obligations deriving, for example, from the European Convention on Human Rights as interpreted by the European Court of Human Rights, must, according to the jurisprudence of the Federal Constitutional Court, be consulted within the context of interpreting the Basic Law and, as subconstitutional law, are binding upon the administration and the judiciary.[36]

34. Germany is working in numerous ways to implement these obligations. For example, the Federal Government reports to the German Bundestag every two years on its national and foreign policy activities and initiatives in the area of human rights policy.[37] The report also contains a future-oriented **Federal Government Action Plan for Human Rights** formulating key human rights priorities for national and foreign policy for the next two-year period. Consultations on the Action Plan were held with Forum Menschenrechte (Human Rights Forum) and the German Institute for Human Rights. Ongoing exchange on implementing the goals set takes place with the German Bundestag and civil society.[38]

35. Particular attention is being given to **combating discrimination, preventing all forms of extremism and promoting democracy**, see Section II.C.2.(i). The state can create favourable conditions for strengthening social cohesion and help citizens to

incorporate various forms of democratic ownership into their lives. Extremist attitudes and behaviour still exist in the Federal Republic of Germany. The Federal Government intends to continue to confront this challenge with preventive measures as part of the federal "Live Democracy!" and "Cohesion through Participation" programmes, alongside restrictive steps to bolster national security. The overriding goal in all this is to respect human dignity and the prohibition of discrimination in line with the Basic Law and thus safeguard social cohesion.[39]

36. The state's duty to protect also encompasses the **unborn child**. The German legal system thereby protects life without restriction.[40] The Federal Government considers Sections 218 ff. of the German Criminal Code to represent a balanced approach. The Act on assistance to avoid or cope with conflicts in pregnancy guarantees the entitlement of a pregnant woman to comprehensive counselling with regard to sex education, contraception and family planning as well as all direct or indirect issues related to pregnancy or specific pregnancy conflict counselling. Furthermore, the Act expanding the assistance for pregnant women and regulating confidential birth came into force on 1 May 2014. During the three years after its entry into force, an evaluation of these regulations was conducted, on the basis of which the Federal Government report on the impact of the Act was adopted in July 2017.

## 2. Specific issues and groups

### *(a) Torture, enforced disappearance and human trafficking*

37. Since the last report, Germany has introduced several measures to fight human trafficking more effectively and to improve the situation of prostitutes:[41]

- The Act to improve the **fight against human trafficking** and to amend the Federal Central Register Law as well as the Eighth Book of the Social Code entered into force on 15 October 2016. The Act contains a new version of the criminal provisions against human trafficking and the legislative measures necessary to implement directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims.
- To improve working conditions in legal **prostitution** and to protect the persons working in this area from exploitation, forced prostitution and human trafficking, the German Bundestag adopted the Act to regulate prostitution and to protect the persons active in prostitution (Act on the Regulation of Prostitution and Protection of Persons working as Prostitutes). The Act entered into force on 1 July 2017.
- With the Act on the redefinition of the right to stay and the termination of residence (2015) and the Act on amending the asylum seekers benefits Act and the Act on social courts (2015), further improvements for victims of human trafficking have taken effect.
- In 2014/2015, Germany subjected itself for the first time to a review by the independent Group of Experts on Action against Trafficking in Human Beings – GRETA – established by the Council of Europe Convention on Action against Trafficking in Human Beings.[42]

38. Germany condemns all forms of **torture** and the practice of **enforced disappearance**. In Germany, there are a number of specific provisions criminalising all conceivable forms of torture or other cruel, inhuman or degrading treatment. In this context, reference should be made, in addition to general criminal law, to the Code of Crimes Against International Law.[43] German criminal law sanctions the different forms of enforced disappearance described in the International Convention for the Protection of All Persons from Enforced Disappearance.[44]

39. In Germany, protection from torture is guaranteed both by the administration and in court proceedings. Consequently, it is the standard practice of German higher courts (including the Federal Constitutional Court) to reject extradition or expulsion to a country if there is a concrete danger of torture or inhuman or degrading treatment or punishment there.[45]

*(b) Children*

40. Since the last report, Germany has further expanded its work in the area of child protection.

- In 2015, a **monitoring office** was established at the German Institute for Human Rights to oversee implementation of the UN Convention on the Rights of the Child. The central task of the office is to evaluate political measures and legislation with respect to norms in the area of children's rights.[46]
- Since 2014, the project Primary Prevention of Child Sexual Abuse by Juveniles (PPJ) has been bolstering primary **prevention of sexual violence** by establishing new diagnostic and treatment services for sexually disturbed young people. This project is part of the overall concept for the protection of children and young people from sexual violence drawn up in 2014.[47]
- A nationwide cooperation concept "Protection and help in cases of trafficking and exploitation of children and young people" is in the process of being drafted. One of the goals is to guarantee adequate protection and comprehensive assistance for potential and actual victims of **human trafficking in minors**. In addition, in 2016, the federal-*Länder* working group "Protection of children and young people from sexual violence and exploitation" formed the sub-group "Trafficking in children / tourism and international cooperation", which focuses on the issue of sexual exploitation, among other topics, and promotes additional protection measures.[48]
- Since 2000, the Federal Government has promoted projects for **street children and young people.** Currently (2017/2018), four pilot projects adopting new approaches in work with street children are receiving funding from the Federal Child and Youth Plan.[49]

41. The state fulfils its protection mandate chiefly through the **Youth Welfare Offices**. As official authorities, they are bound by the law in their decision-making. They are answerable firstly to legal supervision by an administrative authority, which in Germany's federal system is governed by the law of the respective *Land*. The decisions of the Youth Welfare Offices can be brought before independent courts. When assessing the legality of decisions, the courts have to take account of the European Convention on Human Rights (as interpreted by the European Court of Human Rights), which is applicable German federal law and which must also be taken into account when interpreting fundamental rights due to the jurisprudence of the Federal Constitutional Court.[50]

42. Moreover, in Germany specific criminal offences have been defined to protect children and young people from sexual abuse. Furthermore, under the German Criminal Code, the distribution, acquisition and possession of child or juvenile pornographic written materials is a punishable offence. A clear definition of child or juvenile pornography can also be found here.[51]

*(c) Families*

43. In Germany, decisions made by parents on the upbringing of their children in accordance with Art. 14 and 18 of the Convention on the Rights of the Child are respected. The Act on the religious education of children regulates the right of parents to provide religious education as part of their care for the child.

44. In Germany, a wide range of support services is available to parents, children and young people through the child and youth welfare system. Comprehensive and needs-based childcare options for children of working parents are available and are being extended further. These options include numerous institutions and services run by religious childcare facility providers.[52]

*(d) Women*

45. Germany is aware of the ongoing challenges in the field of women's rights. Since 2011, the Federal Government has submitted a **gender equality report** in each legislative term. The Second Gender Equality Report was published in June 2017. It is based on the

findings of an independent expert commission, examines the gender equality situation in Germany and proposes steps for further improvement using a course-of-life approach.

46. One important focus of activity is the elimination of the gender-specific **income gap**. Various measures have been taken to this end.

- On 6 July 2017, the **Act to promote transparency of wage structures** entered into force. It is designed to improve application of the rule of equal pay for women and men for equal or equivalent work. To this end, it introduces an entitlement to information and reporting obligations and calls upon certain enterprises to implement in-company procedures to assess whether their pay regulations and components comply with the rules on equal pay and to establish pay equity.[53]
- The **Act on the equal participation of women and men in leadership positions in the private and the public sector** came into force on 1 May 2015. Its goal is to increase the proportion of women in management positions in the private sector, the federal administration and the federal civil service.[54]
- The expansion of **childcare services** was driven forward in terms of both quantity and quality during this legislative term, scope for balancing childcare and career was improved and the parental allowancePlus was introduced.[55]

47. Women are still under-represented in **political decision-making positions**, particularly at municipal level, where women comprise only around 25 per cent of the total. The Federal Government has established the Helene Weber Kolleg and the Helene Weber Prize as a nationwide, cross-party network for women in politics. The aim is to improve the starting conditions and development opportunities for women interested and engaged in politics by means of mentoring and coaching tools as well as specialised events.[56]

48. Furthermore, in recent years Germany has increased its engagement in **protecting women against violence**. To this end the obligations from the Istanbul Convention have been fully incorporated into German law. The most recent milestone was the introduction of the principle "No means no!" in connection with sexual offences. The 50th Criminal Law Amendment of 4 November 2016 to improve the protection of sexual self-determination entered into force on 10 November 2016. Normative protection is thus fully guaranteed.[57] The Istanbul Convention will enter into force for Germany on 1 February 2018.[58]

49. A concept for the protection and integration of refugee women and their children is designed to assist *Lander* and municipalities. The concept, which is undergoing dynamic development, encompasses measures in the four main focal areas: protection from violence and assistance in refugee accommodation centres; information, counselling and support for refugees; protection for pregnant refugees; integration and establishment of an independent livelihood.[59]

*(e) Sinti and Roma*

50. The Federal Government regards the long-term focus on **anti-Gypsyism** as a crucial aspect of efforts to combat racism and discrimination. Various political education programmes are on offer, as well as numerous events, the most recent being an international conference organised in 2016 under the auspices of Germany's OSCE Chairmanship on Confronting Anti-Gypsyism. The Role of Political Leaders in Countering Discrimination, Racism, Hate Crimes and Violence Against Roma and Sinti Communities. Combating anti-Gypsyism is also a focus of the Federal Government Strategy to Prevent Extremism and Promote Democracy from 2016, the 2017 National Action Plan against Racism and the federal "Live Democracy!" programme.[60]

51. Another Federal Government focus is non-discriminatory access to education, the housing and the labour market, the healthcare system and other regular support services. For example, in 2015, the Agency for Horizontal Objectives conducted anti-discrimination workshops with respect to the **labour market**. Within the framework of the Fund for European Aid to the Most Deprived (FEAD), at least ten anti-discrimination workshops are to be funded across the country between 2017 and 2020 in connection with the horizontal objective of non-discrimination of deprived persons, particularly Roma, with the aim of raising awareness among local administrations and other organisations. All language

support services for pre-school and school-age children as well as individual support are open to all societal groups, including national minorities. Information on the integration of Sinti and Roma and also, specifically, on their **educational situation**, can be found in the annual German progress report to the EU Commission on the implementation of the EU Framework for National Roma Integration Strategies up to 2020.[61]

52. Since 1 January 2017, racist offences against Sinti and Roma have been recorded in the special category "anti-Gypsy" under the heading "hate crime" in police statistics for politically motivated crime.[62]

*(f) Persons with disabilities*

53. With its first and second National Action Plan to implement the UN Convention on the Rights of Persons with Disabilities (NAP 1.0 and NAP 2.0), the Federal Government has launched comprehensive packages of measures to realise the rights of persons with disabilities. In the NAP 2.0, all federal ministries have contributed their own measures for the first time.

- One of the main priorities is the area of **labour and employment.** The goal of the employment policy measures is to foster the integration of people with disabilities into the general labour market. For in spite of the encouraging developments in the employment situation and decreasing unemployment among severely disabled persons, the goal remains to further increase the participation of people with disabilities in the job market. The measures in the NAP 2.0 place even more importance on legislative changes which will create the legal framework to enable even more persons with disabilities to find employment opportunities on the general labour market rather than in sheltered workshops for persons with disabilities.[63]
- The NAP 2.0 also agrees on improved **protection for girls and women with disabilities from violence** as a joint federal and *Land* measure. The goal is to develop a common understanding on a comprehensive, effective strategy to protect disabled persons from violence, particularly women and girls with disabilities, and to establish independent authorities with a human rights mandate in line with Art. 16 (3) of the UN Convention on the Rights of Persons with Disabilities.[64] The Federal Participation Act introduced the election of women's representatives at all sheltered workshops for persons with disabilities with effect from January 2017.
- The promotion of **inclusive education** is based not least on the recommendation of the Standing Conference of the Ministers of Education and Cultural Affairs of the *Lander* in the Federal Republic of Germany entitled "Inclusive Education for Children and Young People with Disabilities in Schools" (2011) and the joint recommendation of the German Rectors' Conference and the Standing Conference entitled "Teacher Training for a School of Diversity" (2015), as well as the teacher training guidelines which were revised between 2014 and 2017. The recommendations have been instrumental in changing understanding of the task of establishing an inclusive education system. The *Lander* have used the recommendations and other guidelines as the basis for their legal frameworks, specialist concepts and support structures.[65]

*(g) LGBTI*

54. Various measures have been implemented to eliminate discrimination against lesbian, gay, bisexual, transsexual and intersexual people:

- On 1 October 2017 the Act introducing the **right of persons of the same sex to marry** entered into force. Under this, a marriage may take place between two persons of the same sex.
- On 22 July 2017, the Act to criminally rehabilitate persons convicted of performing consensual homosexual acts after May 8, 1945 entered into force. The Act serves to **rehabilitate and compensate** those affected by Section 175 of the German Criminal Code (Section 151 of the Criminal Code of the GDR).

- The National Action Plan against Racism (see 2.3.2.9) was extended to encompass the subjects of homophobia and transphobia.[66]
- From the start of 2015 to the end of 2019, within the framework of the federal "Live Democracy!" programme, measures are being promoted that are designed to increase **acceptance** of same-sex, transsexual and intersexual lifestyles, eliminate prejudice towards these groups and take a stand against discrimination and violence based on gender, sexual identity and sexual orientation. Currently, nine pilot projects and two nation-wide NGOs are receiving funding for structural development in the field of homophobia and transphobia.[67]
- Furthermore, the Federal Government supports numerous other projects to **reduce discrimination** of lesbian, gay, bisexual, transsexual and intersexual people and works for the protection and recognition of sexual diversity.[68]
- In September 2014, an interministerial working group on **intersexuality and transsexuality** was set up. It focused on national and international research, political decisions, societal debate and findings from hearings with experts and organised participative specialist exchanges.[69] The work of the interministerial working group concluded at the end of the 18th legislative term.

*(h) Religious minorities*

55. Germany guarantees **comprehensive protection for all religions**. The Basic Law stipulates that freedom of conscience must be respected in all areas. Where constitutionally guaranteed religious freedom collides with another basic right, German courts always give detailed and individual consideration to the conflicting protected interests.[70]

56. Promoting the religious and social participation of Muslims in Germany is a key priority of the Federal Government. In the past years it has made progress on the basis of the findings of the German Islam Conference. During the last legislative term, the German Islam Conference focused on the issues of welfare care provided by and for Muslims as well as chaplaincy in public institutions (hospitals, prisons and the military), and adopted outcome papers containing concrete steps and recommendations. In recent years, the *Länder* have intensified their efforts to introduce Islamic religious education or Islamic studies lessons in state schools as an integration measure in the field of education, and to promote intercultural competences. This also takes into consideration the recommendations of the German Islam Conference . In many *Länder*, Islamic religious education classes are being developed, and some have already introduced them. Since 2011, the Federal Government has also funded the creation of research and teaching facilities for Islamic theology, earmarking a total of 36 million euros for this purpose up to 2021. There are now more than 2000 students enrolled at the five centres for Islamic theology.[71]

57. Since the introduction of the Police Reporting Service for politically motivated crimes in 2001, **Islamophobic and anti-Semitic crimes and acts of violence** are recorded under the heading "hate crime". Until the end of 2016, Islamophobic crimes were classified as "xenophobic" and/or "religious", depending on the circumstances of the case concerned and the attitude of the suspect. In order to obtain a more precise overview of the situation, the category of "hate crime" was expanded to include the sub-groups "Islamophobic", "anti-Gypsy" and "anti-Christian". From 1 January 2017, these groups of offences were recorded in separate categories.[72]

58. Moreover, the Federal Government fosters the **prevention of anti-Semitism and Islamophobia** as forms of hate directed towards particular groups within the context of the federal programme "Live Democracy! – Active against Right-wing Extremism, Violence and Hate".

*(i) Racism*

59. Germany sees the **fight against racism** as an ongoing task for society as a whole. The action areas involved are thus wide-ranging and extensive:

- On 14 June 2017, the Federal Government adopted the National Action Plan against Racism – Positions and Measures for Dealing with Ideologies Based on Inequality

and Discrimination Arising from Them (NAP). An important step as regards strengthening social cohesion, this new, comprehensive NAP ties in closely with the Federal Government Strategy to Prevent Extremism and Promote Democracy presented in July 2016. Consultation with civil-society initiatives and organisations was, and remains, of particular importance to the Federal Government in drawing up and implementing the NAP, which focuses on positions and measures in the following areas: human rights policy; protection against discrimination and prosecution of crimes; education and civic education; social and political activities to foster democracy and equality; diversity in working life; training, further training and strengthening of intercultural and social competence in the workplace; online racism and hate; and research.[73]

- Since 2010, the Federal Government has been supporting clubs and associations through the programme "Cohesion through Participation" in their work to promote democratic ownership and combat extremism, racism and racial prejudice in rural or underdeveloped regions. The focus here is on making use of existing structures in civil-society engagement.

- Since 2015, the Federal Government has been promoting civic engagement and democratic conduct at municipal, Land and federal level through the federal programme "Live Democracy! Active against Right-wing Extremism, Violence and Hate". This programme provides support to clubs, organisations, projects and initiatives focused on promoting democracy and diversity and combating right-wing extremism, racism, anti-Semitism, Islamist extremism, other forms of anti-democracy and hate (e.g. homophobia and transphobia), violence, hate and radicalisation. In addition, it supports municipalities all over Germany as local "partnerships for democracy", democracy centres in the *Länder*, the structural development of nation-wide NGOs and pilot projects on selected phenomena involving hatred against particular groups in rural areas and on preventing radicalisation in the fields of right-wing extremism, Islamist extremism and left-wing militancy. Since 2017, support has also been provided to organisations active in the programme areas of engagement and diversity in working life and corporate culture, fostering democracy in the education sector, living together in a society of immigration, strengthening endeavours to combat online hate, and prevention and deradicalisation among prisoners and people on probation.[74]

- A large number of federal and *Land* ministries, as well as authorities and agencies that report to them, have signed the Diversity Charter, thus pledging to create a working environment free of prejudice and marginalisation.

60. Reports on the measures that have been carried out are regularly presented at national and international level (c.f. e.g. 19th to 22nd Report submitted by the Federal Republic of Germany to the UN Committee on the Elimination of Racial Discrimination (CERD) under Article 9 of the Convention on the Elimination of All Forms of Racial Discrimination[75]): civil society is also regularly included in the drafting of periodic reports for the United Nations.[76]

61. One response to the National Socialist Underground (NSU) right-wing terrorist cell, which was discovered in 2011 after committing a series of racially motivated murders in Germany over the course of several years, was to set up a number of parliamentary committees of inquiry to investigate the NSU. Germany drew up and implemented measures on all 47 recommendations by the first German Bundestag Committee of Inquiry on the NSU for the police, judiciary and the Federal and Land offices for the protection of the constitution.[77]

62. In addition, the following measures to eliminate racism have been carried out in the police and judiciary:

- The Federal Government is endeavouring to make the **International Convention on the Elimination of All Forms of Racial Discrimination**, including the definition of racial discrimination enshrined in Article 1 of the Convention, better known in the administration, police and courts, e.g. by providing brochures or further training on this topic in order to guarantee application of the Convention in real life. The

commitments arising from the Convention have the status of an Act of parliament in Germany.[78]

- In order to do more to prevent racist activities and to be able to combat them decisively, hate crimes are defined under eleven specific categories in police statistics on politically motivated crimes, namely as anti-Semitic, anti-Gypsy, xenophobic, anti-disability, anti-Christian, discrimination on the grounds of social status, anti-Islam, racially motivated, or motivated on the grounds of other ethnicity, other religions or sexual orientation. Since 1 January 2014, there has been a separate section for statistics on crimes against shelters for asylum seekers, under the main heading of foreigners/asylum issues.[79]
- At their spring conference in June 2017, the *Land* Justice Ministers decided to gather **data** from the public prosecution offices and courts on hate crime (e.g. the number of criminal proceedings (launched), the number of defendants, the outcome of criminal proceedings and prosecutions, and the sentences handed down in cases where defendants are found guilty).
- Under the Act of 12 June 2015 on implementing the recommendations of the German Bundestag Committee of Inquiry on the NSU, "racist, xenophobic or other types of hate motives" have been explicitly included in the catalogue of factors to be taken into account in sentencing in the **German Criminal Code** since 1 August 2015 (section 46 (2) 2 of the German Criminal Code).[80] Such motives have to be taken into account in principle in all kind of crimes as an aggravating factor.
- Under the **guidelines on criminal proceedings and fines**, which all public prosecution offices must follow, racist, xenophobic or other hate crimes must now be examined particularly closely.

*(j) Migrants*

63. As a country of immigration, Germany is aware of the challenges and tasks involved in the field of integration in particular. The increase in threats and violence against migrants and people who support them shows how important it is to strengthen democracy and peaceful coexistence. The Federal Government wants to work with new partners who reflect German society's diversity. One aim is to develop further strategies and methods to counteract racist and discriminatory attitudes and actions. A further aim is to develop new formats and methods in order to address and democratically resolve contentious, partly polarising and emotionally charged socio-political conflicts. The goal is also to foster a constructive, democratic culture of debate that takes the wide range of partly opposing positions in society into account.

64. The focus is on education, work, schools and supporting civil society.

- The Federal Government has launched various measures to promote better **career prospects for migrants**. Under the Act on assessment and recognition of foreign professional qualifications, which entered into force on 1 April 2012, the German Government has extended legal entitlement to proceedings to recognise professional qualifications obtained abroad for the professions for which it is responsible and created greater standardisation in recognition. The relevant legislation at federal level has now entered into force in all 16 *Länder*.
- Since mid-2011, regional advice centres all over Germany have received support from the Integration through Qualifications (IQ) funding programme. These centres also provide migrants with free advice on the **professional qualifications** they obtained abroad and on opportunities to acquire qualifications in Germany. The objective is to give people with professional qualifications obtained abroad greater access to employment suited to their level of skills. The Recognition in Germany app, which provides information on this topic, was launched in April 2016.
- The introduction of legislation on 1 July 2016 to establish state-funded **vocational German-language courses** was an important step. The aim of this legislation is to improve employment opportunities for people from an immigrant background by helping them to overcome language barriers.[81]

- With regard to **integrating** children and teenagers from an immigrant background **in schools**, a distinctly positive trend can be noted. According to the 2016 Education Report, teenagers with and without a migration background were represented in similar proportions in educational programmes in 2012, taking socio-economic background into account, if one considers migration background instead of nationality and educational programme instead of the type of school attended. The PISA findings since 2003 have shown that the standard has constantly improved in German schools. Pupils from an immigrant background have improved their scores disproportionately. The percentage of children from an immigrant background who leave school without qualifications has been disproportionately reduced.[62]

- Since 2015, the German Olympic Sports Confederation's programme **Integration through Sport**, which is funded by the Federal Government, has been opened to all asylum-seekers and people who have been granted a temporary stay of deportation, regardless of their background or the likelihood that they will be granted permission to stay in Germany. The aim is to encourage people from an immigrant background to take part regularly in club sports and to do voluntary work in this area.[63]

- In providing funding for the structures of primarily volunteer-run **migrant organisations**, which serve as an important bridge between migrants and the host society and pool engagement, migration experience and expertise on integration work, the Federation is supporting the establishment of sustainable structures and networks and making these organisations' work more professional. The current focus is on supporting organisations that guide refugees on arrival in Germany. In its House of Resources scheme, the Federation helps agencies that provide resources to other smaller local migrant organisations and initiatives, some of which are still being set up.

- The federal "Live Democracy!" programme was expanded in 2017 to include a new programme area on living together in a society of immigration. The aim is that projects in this area will develop strategies and methods to address racist and discriminatory attitudes and actions.

- In addition, associations, displaced persons' organisations, churches, recognised providers of civic education, migrant organisations, municipalities and institutions that work with migrants at transregional, regional or local level receive funding for measures aimed at **integrating** young and adult migrants who have been granted permanent residence in Germany and people from an immigrant background.[64]

65. During Germany's G20 Presidency, the Federal Government worked to further the integration of regular migrants and recognised refugees in the labour market. The G20 Policy Practices for the Fair and Effective Labour Market Integration of Regular Migrants and Recognised Refugees were adopted along with the G20 Summit Leaders' communiqué in Hamburg.

66. Germany and Morocco jointly assumed the chairmanship of the Global Forum on Migration and Development (GFMD) on 1 January 2017. Under the motto, "Towards a Global Social Contract on Migration and Development", the focus was on addressing the balance of interests between migrants and their countries of origin, transit states and destinations within the framework of regular and orderly migration.

67. Migrant and asylum-seeker legislation and law enforcement in Germany are in line with international human rights standards. The Federal Government examines all legislative measures at federal level in detail to ensure they comply with international and European law, and in particular with human rights conventions, and ensures that the legal situation in Germany meets the requirements of UN conventions. The UN's human rights conventions have been incorporated into federal law by the domestic bill approving the international treaty in accordance with Article 59 (2) 1 of the Basic Law and thus have to be abided by when applying the law. The general rules of international law even take precedence over federal law (see Article 25 of the Basic Law).[65]

68. German law stipulates that **personal data** and other information required under the Residence Act and other foreigners law provisions may not be transmitted if this is in

breach of particular legal regulations on use. The obligation to maintain patient confidentiality is an example of such a regulation prohibiting use. This is also explicitly stipulated under German law (Sections 87 and 88 of the Residence Act).[86]

*(k) Asylum and refugees*

69. The sharp rise in the number of asylum seekers has created major challenges for Germany over the last three years. The range of measures taken is correspondingly broad. For example, mention must be made of improved protection for children and the comprehensive steps to boost integration:

- The Act to improve accommodation, care and assistance for foreign children and young persons, which entered into force on 1 November 2015, also improved the situation of young **unaccompanied minors** throughout the country, strengthened their rights and ensured that they were accommodated, cared for and supported in accordance with their needs – in line with child welfare.[87]
- The Federal Government has taken a range of steps to assist *Länder* and municipalities with the **protection and integration particularly of female refugees and (their) children**, c.f. the gender equality concept above under II.C.3.(d).
- The Federation and the *Länder* agreed on a joint concept for the integration of refugees in April 2016. The goal of the **Integration Act**, which entered into force in August 2016, is to integrate every person who will be living in Germany in the long term into society.
- The Federal Government's common **integration strategy** is based on a modular spectrum of services for different target groups. It encompasses the fields of language communication, integration into training, work and education, and societal integration.
- Language is the key to integration. **Integration courses** have been expanded to become a modular system incorporating follow-up vocational language courses.[88] **Childcare for integration course participants** was reintroduced early in 2017 especially to enable families with small children without access to childcare to attend such courses.
- The number of adult migrants making use of **migration advice services**, which targets persons from the age of 27 in almost 1000 different locations, is constantly rising: there were approximately 260,000 cases in 2016. Young people between the ages of 12 to 27 have access to the youth migration service.
- The **initial orientation courses**, which are geared primarily towards asylum seekers with uncertain prospects of being allowed to stay in Germany and which have been on offer throughout the country since July 2017, cover 300 hours and teach participants how to cope with everyday life as well as the values and norms that apply in our country, at the earliest possible stage.
- **Education** – a key integration tool – is organised in the *Länder* from the outset, regardless of residence status and length of stay, i.e. school-age children of asylum seekers are obliged to attend school in all *Länder*. In some cases there are waiting periods. In most *Länder*, implementation of regular school integration measures begins as soon as a family has left the reception centre and been assigned to a municipality. Some *Länder* also provide schooling services in the reception centres.[89]
- With regard to **admission to higher education** for students who due to their refugee situation are unable to provide documentation of the university entrance qualification acquired in their homeland, the Standing Conference adopted a recommendation in 2015 which opens up a three-stage validation process. In 2016 a decision was adopted on ways to reduce enrolment costs for refugees.

70. Germany complies with the provisions of international and European refugee law:

- The **Common European Asylum System (CEAS)** is based on a comprehensive application of the Geneva Convention relating to the Status of Refugees of 28 July 1951, supplemented by the New York Protocol of 31 January 1967, and complies with international law. The CEAS respects human dignity and the right to international protection/asylum. Its provisions ensure that all EU member states prioritise child welfare in its implementation.[90] In 2016, the EU Commission submitted proposals for a large-scale reform of the CEAS, which are currently under discussion.

- Germany prosecutes **irregular immigration** and irregular residence in accordance with the provisions of international law. It resorts to **deportation custody** only when no milder course of action is available and where this response is reasonable. It requires a judicial order and must be restricted to the shortest possible duration. The German authorities have the obligation to carry out deportations as rapidly as possible.[91]

## III. Status of fulfilment of voluntary commitments

71. Germany has fulfilled the voluntary commitments[92] it made upon its election to the UN Human Rights Council in 2016. Some of these commitments involve ongoing tasks on which the Federal Government is continuing to work. For further details, please see chapters II. A. 1, II.A.1.(c), II.A.4, II.C.2.(d), II.C.2.(f) and IV. in particular.

## IV. New and emerging problems, including achievements and challenges associated with them

72. Germany is firmly committed to promoting **responsible business conduct that respects human rights** along global supply chains. At the end of 2016, the Federal Government adopted a National Action Plan for Business and Human Rights (NAP) based on almost two years of multi-stakeholder consultations. The NAP expressly expects companies to exercise their human rights due diligence in a commensurate manner. This due diligence includes a human rights policy statement, the establishment of a procedure that serves to identify actual and potential adverse effects of corporate activity on human rights, measures to ward off potentially adverse impacts, reviewing the efficacy of these measures, reporting and the establishment of grievance mechanisms. The Federal Government will monitor implementation of the NAP on the basis of a representative sample of enterprises with more than 500 employees. It also reserves the right to conduct further measures. In the NAP, the Federal Government has also undertaken to improve the protection of human rights in various areas of state activity, such as instruments for the promotion of external trade, and to reorganise and further strengthen the National Contact Point for the OECD Guidelines for Multinational Enterprises. The implementation of the NAP measures is being closely monitored by an interministerial committee accompanied by a multi-stakeholder forum. The Federal Government is supporting companies in implementing the provisions and endeavouring to disseminate the concept of **corporate social responsibility (CSR)**.

73. In 2015, the Federal Government made use of its G7 Presidency to enshrine the topic of **responsible business conduct along global supply chains** on the global agenda and to launch concrete measures, such as the Vision Zero Fund set up by the International Labour Organization (ILO). A pilot project was launched in Myanmar in June 2016.

74. The Federal Government was also active in this area during its G20 Presidency in 2017. The G20 Leaders' Declaration described the key aspects for responsible supply-chain management, that is, payment of fair and decent wages, support for health and safety protection by the Vision Zero Fund, adherence to due diligence and improvement of grievance mechanisms. A further priority topic in the Declaration is the fight against child labour, modern slavery, forced labour and human trafficking along supply chains.

75. In view of new technologies, Germany is also working at international level to foster effective protection of **human rights in the digital sphere**.

- Along with Brazil, Germany has co-sponsored six resolutions on the right to privacy in the digital age to the UN General Assembly and the UN Human Rights Council since 2016. In March 2015, the UN Human Rights Council established a mandate for a UN Special Rapporteur on the Right to Privacy.
- As part of its development cooperation, Germany promotes measures on digital security, with the aim of protecting freedom of opinion and freedom of the press for journalists and human rights activists and strengthening opportunities for the public to participate in civil society.
- Safeguarding human rights and ownership is one of the five main aims of the digital strategies of German development cooperation published in 2017.
- Since 2013, Germany has been a member of the Freedom Online Coalition (FOC), an informal coalition comprised of 30 countries that works to foster freedom of the internet. The Federal Government supports the organisation of conferences and is actively involved in the FOC's conceptual work. Germany will assume the chairmanship of the FOC in 2018.

76. On 11 January 2017, the German Cabinet adopted the Second Action Plan of the Federal Government on Implementing **United Nations Security Council Resolution 1325 on Women, Peace and Security** for the period from 2017 to 2020[93] and approved the Federal Government's report on the implementation of the first Action Plan for the 2013-2016 period.[94] Through the measures and projects contained in the new Action Plan, the Federal Government is working to foster the greater involvement of women in crisis prevention, conflict management and post-conflict peacebuilding and the protection of women and girls against violence in armed conflicts. The Action Plan primarily focuses on external measures and activities, supplemented by internal measures, and also serves to promote equal opportunities as stipulated in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

## Conclusion

77. Respect for human dignity is enshrined in the very heart of the Basic Law. Respect for and protection of human rights are therefore the fundamental principles guiding all state action. The practical implementation of these fundamental principles in a permanently changing environment remains a challenge. Germany sees in the UPR process an excellent opportunity to further optimise its already high level of human rights protection through critical analysis and dialogue.

*Notes*

[1] c.f. Report of the Working Group on the Universal Periodic Review – Germany, A/HRC/24/9.
[2] c.f. recommendations 124.15, 124.22, 124.23, 124.30. Here and in the following footnotes reference is also made to supplementary information on the respective recommendations in the annex.
[3] c.f. recommendation 124.24.
[4] c.f. recommendation 124.13.
[5] c.f. recommendation 124.12.
[6] c.f. recommendation 124.14.
[7] c.f. Report of the Working Group on Arbitrary Detention, A/HRC/30/36/Add.1, c.f. commentaries by States parties, A/HRC/30/36/Add.4.
[8] c.f. Report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes on his mission to Germany, Advance edited version, A/HRC/33/41/Add.2, c.f. commentaries by States parties, A/HRC/33/41/Add.4.
[9] c.f. Report of the Working Group of Experts on People of African Descent on its mission to Germany,

A/HRC/36/60/Add.2; c.f. commentaries by States parties, A/HRC/36/60/Add.4.

[10] c.f. A/HRC/RES/33/10 and previous resolutions.

[11] c.f. A/HRC/RES/34/9 and previous resolutions.

[12] c.f. A/HRC/RES/35/5 and previous resolutions.

[13] c.f. A/HRC/RES/34/7 and previous resolutions.

[14] c.f. A/RES/72/178 and previous resolutions.

[15] c.f. A/RES/71/199 and previous resolutions.

[16] c.f. A/RES/72/181 and previous resolutions.

[17] c.f. recommendation 124.47.

[18] c.f. recommendations 124.63, 124.48.

[19] c.f. recommendation 124.166.

[20] c.f. recommendations 124.53, 124.54.

[21] c.f. recommendation 124.45.

[22] c.f. recommendation 124.43.

[23] c.f. recommendations 124.44, 124.46.

[24] c.f. recommendations 124.58, 124.59, 124.169, 124.171.

[25] c.f. recommendations 124.77, 124.129.

[26] c.f. recommendation 124.169.

[27] c.f. recommendation 124.92 etc.

[28] c.f. recommendations 124.110, 124.111.

[29] c.f. recommendations 124.127, 124.128, 124.130.

[30] c.f. recommendation 124.130.

[31] c.f. recommendation 124.144.

[32] c.f. recommendations 124.198, 124.199, 124.200.

[33] c.f. recommendations 124.15, 124.22, 124.23, 124.30.

[34] c.f recommendation 124.61, c.f. the German corruption prevention reports, most recently the 2015 annual report on corruption prevention in the federal administration: http://www.bmi.bund.de/SharedDocs/Downloads/EN/Broschueren/2016/curruption-prevention-report-2015.html?nn=3867470.

[35] c.f. recommendation 124.60.

[36] c.f. recommendation 124.42.

[37] http://www.auswaertiges-amt.de/DE/Aussenpolitik/Themen/Menschenrechte/01_Menschenrechte_Fundament/Menschenrechtsbericht_aktuell.html

[38] c.f. recommendation 124.51.

[39] c.f. recommendation 124.76.

[40] c.f. recommendation 124.123.

[41] c.f. recommendations 124.139, 124.140, 124.147.

[42] c.f. Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Germany, http://www.coe.int/en/web/anti-human-trafficking/germany and the report of the Federal Government on the implementation of the recommendations.

[43] c.f. recommendation 124.27.

[44] c.f. recommendation 124.34.

[45] c.f. recommendation 124.125.

[46] c.f. recommendation 124.32.

[47] c.f. recommendation 124.142.

[48] c.f. recommendation 124.138.

[49] c.f. recommendation 124.132.

[50] c.f. recommendation 124.145.

[51] c.f. recommendation 124.37.

[52] c.f. recommendation 124.168.

[53] c.f. recommendations 124.156, 124.162, 124.167.

[54] c.f. recommendations 124.155, 124.156.

[55] c.f. recommendation 124.159.

[56] c.f. recommendations 124.74, 124.149, 124.156, 124.157, 124.160.

[57] c.f. recommendations 124.134, 124.136.

[58] c.f. recommendation 124.13.

[59] c.f. recommendation 124.137.

[60] c.f. recommendations 124.120, 124.179.

[61] c.f. recommendations 124.120, 124.179, 124.180, 124.181; c.f. www.bmi.bund.de/eu-roma-strategie-2016.

[62] c.f. recommendation 124.131.
[63] c.f. recommendation 124.173.
[64] c.f. recommendations 124.174, 124.176.
[65] c.f. recommendation 124.178.
[66] c.f. recommendation 124.52.
[67] c.f. recommendations 124.121, 124.122.
[68] c.f. recommendations 124.121, 124.122.
[69] https://www.bmfsfj.de/bmfsfj/themen/gleichstellung/gleichgeschlechtliche-lebensweisen-geschlechtsidentitaet/arbeitsgruppe-intersexualitaet-transsexualitaet/arbeitsgruppe--intersexualitaet-transsexualitaet-/73928.
[70] c.f. recommendation 124.150.
[71] c.f. recommendations 124.83, 124.182.
[72] c.f. recommendations 124.117, 124.131.
[73] c.f. recommendation 124.52.
[74] c.f. recommendation 124.76.
[75] c.f. CERD/C/DEU/19-22.
[76] c.f. recommendation 124.76.
[77] c.f. recommendation 124.84.
[78] c.f. recommendation 124.91.
[79] c.f. recommendations 124.82, 124.131.
[80] c.f. recommendations 124.33, 124.41, 124.79, 124.85, 124.101, 124.102, 104.105, 124.107, 124.117.
[81] c.f. recommendation 124.116.
[82] c.f. recommendations 124.83, 124.116, 124.193.
[83] c.f. recommendation 124.108.
[84] c.f. recommendation 124.57.
[85] c.f. recommendation 124.28.
[86] c.f. recommendation 124.31.
[87] c.f. recommendation 124.197.
[88] c.f. recommendation 124.56.
[89] c.f. recommendations 124.83, 124.116, 124.170, 124.193.
[90] c.f. recommendations 124.188, 124.195, 124.196, 124.197.
[91] c.f. recommendations 124.186, 124.187.
[92] A/70/113.
[93] http://www.diplo.de/cae/servlet/contentblob/759670/publicationFile/225493/Aktionsplan_1325_2017-2020_EN.pdf.
[94] http://www.diplo.de/cae/servlet/contentblob/756370/publicationFile/226795/Umsetzungsbericht_1325_2013-2016_EN.pdf.